

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

DOUGLAS E. RICE,

Plaintiff,

v.

ANDREW SAUL¹, Commissioner,
Social Security Administration,

Defendant.

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No. 4:19cv00135-BRW-JJV

ORDER AND JUDGMENT

Defendant filed an unopposed Motion to Remand this case (Doc. No. 13) pursuant to sentence four of 42 U.S.C. § 405(g) (1995):

The court shall have the power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.

The Commissioner seeks remand to conduct further proceedings and states opposing counsel has no objection to the requested remand. Under the circumstances, a “sentence four” remand is appropriate. *Buckner v. Apfel*, 213 F.3d 1006, 1010-11 (8th Cir. 2000).

Accordingly, the Commissioner’s decision is reversed and remanded for action consistent with this opinion. This is a “sentence four” remand within the meaning of 42 U.S.C. § 405(g) and *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

SO ORDERED this 16th day of October 2019.



JOE J. VOLPE
UNITED STATES MAGISTRATE JUDGE

¹Andrew Saul was sworn in as Commissioner of the Social Security Administration on June 17, 2019, replacing Nancy Berryhill. He has therefore been substituted as the defendant in this case pursuant to Federal Rule of Civil Procedure 25(d)(1).